



32692

Customer Number

PATENT  
Docket No.: 58211US004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JASON R. FINK and SHALLEY K.  
GUPTA

Serial No.: 10/807,934  
Filed: March 24, 2004

For: SELECTIVE ACTIVATION OF  
CELLULAR ACTIVITIES  
MEDIATED THROUGH A  
COMMON TOLL-LIKE  
RECEPTOR

Group Art Unit: 1653

Examiner:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date

August 16, 2004

Signature

Judy L. Hansen

Judy L. Hansen

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

08/18/2004 CCHAU1 00000148 133723 10807934

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Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher D. Gram". The signature is fluid and cursive, with the first name "Christopher" written in a larger, more prominent script than the last name "Gram".

CHRISTOPHER D. GRAM  
Registration No. 43,643  
Attorney for Applicants

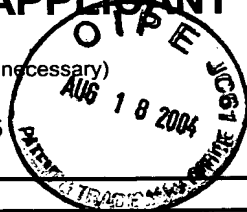
CDG:jlh/58211US004 IDS  
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Dated: *August 16, 2004*

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Page 1 of 5



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**U.S. Patent Documents**

Exam. Init.*	Cite No.	Document Number	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Doc. Number-(Kind Code if Known)			
	A1	US- 4,689,338	08-25-1987	Gerster	
	A2	US- 4,698,348	10-06-1987	Gerster	
	A3	US- 4,929,624	05-29-1990	Gerster et al.	
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**\*Examiner:****Date Considered:**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 2 of 5	Application Number	10/807,934
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	Examiner Name	Unknown
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	A31	US- 6,194,388 B1	02-27-2001	Krieg et al.	
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	A58	US- 6,558,951 B1	05-06-2003	Tomai et al.	

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		Ctry. Code	Number-KindCode (If known)				
	B1	EP	0 394 026	10-24-1990			X
	B2	EP	1 104 764 A1	06-06-2001			X

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		Ctry. Code	Number-KindCode (if known)				
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	B4	JP	11-80156	03-26-1999	(translation only)		X
	B5	JP	11-222432	08-17-1999			X
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	B11	WO	01/74343 A2	10-11-2001			X
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	B13	WO	02/46188 A2	06-13-2002			X
	B14	WO	02/46189 A2	06-13-2002			X
	B15	WO	02/46190 A2	06-13-2002			X
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	B17	WO	02/46192 A2	06-13-2002			X
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	B19	WO	02/46194 A2	06-13-2002			X
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	B21	WO	02/085905 A1	10-31-2002			
	B22	WO	02/102377 A1	12-27-2002			X
	B23	WO	03/020889 A2	03-13-2003			X
	B24	WO	03/043572 A2	05-30-2003			X
	B25	WO	03/045391 A1	06-05-2003			X
	B26	WO	03/103584 A2	12-18-2003			X

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)		
Exam. Init.*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Testerman, et al., "Cytokine Induction by the Immunomodulators Imiquimod and S-27609", <u>Journal of Leukocyte Biology</u> , Volume 58, pp. 365-372, September 1995.

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	C2	Chollet, et al, "Development of a Topically Active Imiquimod Formulation", <u>Pharmaceutical Development and Technology</u> , 4(1), pp 35-43 (1999)
	C3	Brassard et al.; "Interferon- $\alpha$ as an immunotherapeutic protein"; <u>Journal of Leukocyte Biology</u> ; Vol. 71; April 2002; pgs. 565-581
	C4	Izumi et al.; "1H-imidazo[4,5-c]quinoline Derivatives as Novel Potent TNF- $\alpha$ Suppressors: Synthesis and Structure-Activity Relationship of 1-, 2-and 4-Substituted 1H-imidazo[4,5-c]quinolines or 1H-imidazo[4,5-c]pyridines"; <u>Bioorganic and Medicinal Chemistry</u> , Vol. 11, pp. 2541-2550 (2003).
	C5	Hornung et al., "Quantitative Expression of Toll-Like Receptor 1-10 mRNA in Cellular Subsets of Human Peripheral Blood Mononuclear Cells and Sensitivity to CpG Oligodeoxynucleotides <sup>1</sup> ", <u>The Journal of Immunology</u> , 2002, 168; pgs. 4531-4537.
	C6	Hemmi et al., "Small anti-viral compounds activate immune cells <i>via</i> the TLR7 MyD88-dependent Signaling pathway", <u>Nature Immunology</u> , vol. 3, no. 2; February 2002; pgs. 196-200.
	C7	Medzhitov, "Toll-Like Receptors and Innate Immunity", <u>Nature Reviews Immunology</u> , Vol. 1; November 2001, pgs. 135-145.
	C8	Jurk et al. "Human TLR7 and TLR8 independently confer responsiveness to the antiviral compound R-848", <u>Nature Immunology</u> , June 2002, vol. 3, no. 6; pg. 1.
	C9	Akira et al., "Toll-like receptors: critical proteins linking innate and acquired immunity", <u>Nature Immunology</u> , August 2001, vol. 2, no. 8; pgs. 675-680
	C10	Heil et al.; "Synthetic immunostimulatory compounds activate immune cells via TLR7 and TLR8"; 33th Annual Meeting of the Deutsche Gessellschaft für Immunologie, Marburg 2002 - Abstract C.6

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